

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

HALOZYME, INC.

Plaintiff

v.

JOSEPH MATAL,  
performing the functions and duties of Under  
Secretary of Commerce for Intellectual  
Property and Director of the United States  
Patent and Trademark Office,

Defendant.

Civil Action No. 1:16-CV-01580 (CMH/JFA)

**DEFENDANT'S RESPONSE TO PLAINTIFF'S MOTION  
"TO BRING TECHNOLOGY AND USE IT DURING TRIAL"**

Pursuant to the Local Rules of this Court, defendant, Joseph Matal, performing the functions and duties of Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office, in his official capacity, respectfully provides this response to plaintiff Halozyme, Inc.'s ("Halozyme") motion "to bring technology and use it during trial."

**RESPONSE**

In its motion, Halozyme, Inc. seeks this Court's authorization for its four attorneys to "bring laptop computers and smartphones . . . to the trial in this matter," and to use that technology through the "Court's Evidence Presentation System." *Mot.* (Dkt. No. 132), at 1. Although Defendant takes no formal position on Halozyme's requested relief, it is counsel's understanding that this Court generally does not authorize the use of computer-assisted technology during trial. Should this Court be inclined to authorize the use of such technology at

trial in this action, however, defendant would request an identical ability to bring and utilize its own laptop computers and smartphones.

Respectfully submitted,

DANA J. BOENTE  
UNITED STATES ATTORNEY

By:

/s/  
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DATE: November 7, 2017

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**CERTIFICATE OF SERVICE**

I hereby certify that on this date, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing ("NEF") to the following:

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Date: November 7, 2017

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